

### **REMARKS**

Applicant respectfully requests reconsideration. Claims 23-29 were previously pending in this application with claims 16-22 being withdrawn from consideration. Claims 23 and 27 have been amended. Claims 24 and 28 have been cancelled without prejudice. As a result, claims 23, 25-27 and 29 are pending for examination with claims 23 and 27 being independent claims. No new matter has been added.

#### **Rejections of Claims 23-29 Under 35 U.S.C. §102(a)**

Claims 23-29 were rejected under 35 U.S.C. §102(a) as being anticipated by Deng, et al. ("Fabrication of Metallic Microstructures Using Exposed, Developed Silver Halide-Based Photographic Film") (hereinafter "Deng, et al.").

The instant application claims priority to U.S. Patent Application No. 6,706,165 (hereinafter "the '165 patent"), which has an earliest filing date of January 7, 2000. This filing date is earlier than the publishing date of Deng et al. (February 15, 2000). Applicant notes that claims 23-29 of the instant application are identical to claims 23-29 originally-filed in the '165 patent, and are supported by that disclosure. Therefore, claims 23-29 are entitled to the priority date of the '165 patent and the rejection is improper. Accordingly, Applicant respectfully requests withdrawal of the claims rejected on this ground.

#### **Rejection of Claims 23, 26 and 27 Under 35 U.S.C. §102(b)**

Claims 23, 26 and 27 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,854,386 (hereinafter "Lyman").

Independent claims 23 and 27 have been amended to recite that the additional conductive material is deposited via electrolysis deposition. Lyman fails to teach or suggest such a limitation.

Because Lyman fails to teach or suggest each claim feature, claims 23 and 27 are patentable over Lyman. Claim 26 depends from claim 23 and is also believed to be patentable over Lyman for at least this reason. Accordingly, Applicant respectfully requests withdrawal of the claims rejected on this ground.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

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Respectfully submitted,

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